

**THIRD AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TATUM RANCH**

This Third Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tatum Ranch (the “**Third Amendment to Amended and Restated Declaration**”), dated March 1, 2001, is made by SunCor Development Company, an Arizona corporation (hereinafter “**Declarant**”).

RECITALS

A. SunCor Development Partners, an Arizona general partnership, as Declarant (“**SDP**”), previously recorded that certain Declaration of Covenants, Conditions and Restrictions dated February 19, 1988, and recorded as document Recording Number 88-090390, Records of Maricopa County, Arizona (the “**Original Declaration**”). Thereafter, SDP amended the Original Declaration pursuant to the terms of a First Amendment to Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated May 16, 1988, and recorded as document Recording Number 88-239882, Records of Maricopa County, Arizona (the “**First Amendment to Original Declaration**”). Thereafter, SDP appointed Declarant as the Successor Declarant as set forth in the Designation of Successor Declarant for Tatum Ranch, dated November 10, 1988, and recorded as document Recording Number 88-602338, Records of Maricopa County, Arizona. Thereafter, Declarant caused the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated December 21, 1988, to be recorded as document Recording Number 88-625068, Records of Maricopa County, Arizona (the “**Amended and Restated Declaration**”). Thereafter, Declarant amended the Amended and Restated Declaration pursuant to the terms of a First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tatum Ranch, dated September 22, 1998, and recorded as document Recording Number 98-0845209 (the “**First Amendment to Amended and Restated Declaration**”). Thereafter, the Tatum Ranch Community Association, and Arizona non-profit corporation, amended the Amended and Restated Declaration, as previously amended by the First Amendment to Amended and Restated Declaration, pursuant to the terms of a Second Certificate of Amendment to Amended and Restated Declaration for Tatum Ranch, dated December 20, 2000, and recorded as document Recording Number 2001-005626 (the “**Second Certificate of Amendment to Amended and Restated Declaration**”). The Amended and Restated Declaration, as amended by the First Amendment to Amended and Restated Declaration and the Second Certificate of Amendment to Amended and Restated Declaration, shall be collectively referred to herein as the “**Declaration**”.

B. The Declaration, at Article XI, Section 1, states in part as follows:

...The Declarant may voluntarily relinquish (either temporarily or permanently) its right to appoint all or some of the members of one or both of the Architectural Committees by recording an amendment to the Declaration executed by the Declarant alone.

C. Declarant now desires to amend the Declaration for the purpose of permanently relinquishing its right to appoint members of the Commercial Architectural Committee as provided by Article XI, Section 1 of the Declaration.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

1. Amendment of Declaration. Declarant hereby permanently relinquishes its right to appoint any of the members of the Tatum Ranch Commercial Architectural Committee as provided in Article XI of the Declaration.
2. Defined Terms. The capitalized terms used herein shall be deemed to have the same meanings as given those terms in the Declaration.
3. Agreement Otherwise Unchanged. Except as expressly amended herein, the Declaration shall continue in full force and effect.